IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.4169 of 1998

Between:

Viswanadh Oil Filling & Service Station, Rep by its Prop. S.S.R.ANJANEYULU. Nakarikallu-522615, Guntur District,

..... PETITIONER

AND

Indo Burma Petroleum Company Ltd., Rep by its Senior Divisional Manager, I.B.P.Co.Ltd., 9-1-83 & 84, Sarojini Devi Road, Secunderabad-500003 (A.P.),

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue any appropriate writ, order or direction, preferably a Writ of Mandamus declaring the action of the respondent in issuing a public Notification dt.6.1.98 published in Deccan Chronicle Daily Newspaper calling for the applications on or before 20.02.98 for Retail Outlet Dealership under open category at Nakarikallu, Guntur Revenue District, A.P is illegal, contrary to law in the absence of any survey in respect of volume of business, arbitrary and in violation of Art.14 and 19 of the Constitution of India.

Counsel for the Petitioner: MR.D.HANUMANTHA RAO (Not present)

Counsel for the Respondent: MR.DEEPAK BHATTACHARJEE

The Court made the following:

ORDER:

Questioning the action of the respondent in issuing a public Notification dated 06.01.1998 in Deccan Chronicle Daily Newspaper calling for applications for Retail Outlet Dealership to conduct business in Petroleum Products under open category at Nakarikallu, Guntur Revenue District, the present writ petition is filed.

When the matter is taken up today, none appears for the petitioner. Learned Standing Counsel for the respondent submits that during the pendency of the writ petition, the retail outlet was already started and the petitioner has filed another writ petition in W.P.No.13807 of 2000 and the subject matter of the writ petition has become infructuous.

Recording the said submission, the writ petition is dismissed as having become infructuous. No costs.

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N.V. RAMANA, J.

Date: 03.03.2005

Nsr/Tvk

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. Indo Burma Petroleum Company Ltd., Rep by its Senior Divisional

Manager, I.B.P.Co.Ltd., 9-1-83 & 84, Sarojini Devi Road,

Secunderabad-500003 (A.P.),

2 Two CD copies

3 1 CC to MR.DEEPAK BHATTACHARJEE (OUT)

*Form-NIC-OGS/WP{**SAM**}*